

DOCKET NO.: 224569US25SD



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

# 13

PETITIONER: CHEN :  
APPLICANTS: HUANG ET AL. :  
SERIAL NO: 09/635,116 :ATTN: PETITIONS EXAMINER  
FILED: AUGUST 09, 2000 :  
FOR: METHOD FOR SIMULATING :  
DRILLING OF ROLLER CONE BITS :  
AND ITS APPLICATION TO :  
ROLLER CONE BIT DESIGN AND :  
PERFORMANCE :  
GROUP ART UNIT: 2123 (ANTICIPATED) :  
EXAMINER: R. FREJD (ANTICIPATED) :

**THIRD-PARTY PETITION TO WITHDRAW  
APPLICATION FROM ISSUE UNDER 37 CFR 1.313**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir or Madam:

Pursuant to 37 CFR 1.313, petitioner respectfully requests that the above-identified application be withdrawn from issue and returned to the examiner for the purpose of considering a request for an interference filed by petitioner.

Petitioner filed United States patent application Serial No.09/833,016 on April 10, 2001. That application claims priority based on application serial No. 09/387,737 filed August 31, 1999 which claims priority based on provisional application No. 60/098,466 filed August 31, 1998. Moreover, petitioner has copied claims requesting an interference with applicants' above application serial No. 09/635,116.

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document is being sent by first class  
mail, postage prepaid, to:

Rosenthal & Osha L.L.P.  
One Houston Center, Suite 2800  
1221 McKinney Street  
Houston, Texas 77010

Dated: 15 Apr 07

  
\_\_\_\_\_  
Charles L. Gholz

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Petitioner requests this extraordinary relief because, if the above application issues as a patent before an interference is declared, then the assignee of the above application will be able to assert that patent against petitioner's assignee.

In the event that petitioner is deemed to lack standing to request withdrawal of the above application from issue, petitioners respectfully urge the Office to take that action *sua sponte*.

If more information is needed, a telephone call to petitioner's undersigned attorney would be greatly appreciated.

The Commissioner is hereby authorized to charge \$130.00 for the fee under 37 CFR 1.17(h) or any additional fees to Deposit Account 15-0030. A duplicate copy of this document is enclosed.



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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Gholz', written over the typed name.

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